

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

THE HUNTINGTON NATIONAL BANK,
a national banking association,

Plaintiff,

CASE NO. 1:24-cv-00305

v.

HON. JANE M. BECKERING
MAG. JUDGE RAY S. KENT

JV SBAM SA LLC, a Michigan Limited
liability company, JOHN R. GIBBS, an
individual, DIEGO REYES, an individual,
GABRIEL P. WEINERT, an individual,
MICHAEL OUAKNINE, an individual, and
the MICHAEL OUAKNINE LIVING
TRUST DATED AUGUST 27, 2019,

Defendants.

ALOIA LAW

By: JOSEPH N. EJBEH (P48961)

RALPH COLASUONNO (P55019)

Attorneys for Plaintiff

48 South Main Street, Suite 3

Mt. Clemens, MI 48043

586.783.3300

ejbeh@aloia.law

colasuonno@aloia.law

WILLIAMS, WILLIAMS, RATTNER
& PLUNKETT, P.C.

By: Richard E. Rassel, III (P57540)

Jeremy M. Manson (P76920)

Attys. for Defendants/Counter-Plaintiffs

380 N. Old Woodward Ave., Suite 300

Birmingham, MI 48009

248.642.0333

rer@wwrplaw.com

jmmanson@wwrplaw.com

STIPULATION FOR ORDER APPOINTING FACILITATOR

WHEREAS, the Parties, by and through their respective counsel, have agreed
to use the facilitative mediation services of Tom McNeill, Esq., of Tom McNeill

ADR, PLLC, as Facilitator in this matter.

WHEREAS, Mr. McNeill does not appear on the list of mediators maintained by this Federal District Court, however the parties or certain of their members have utilized his facilitative mediation services in a separate unrelated matter in the Federal Court for the Eastern District and Mr. McNeill is very familiar with the parties and certain of their members and counsel for the parties.

WHEREAS, the parties believe that Mr. McNeill is extremely qualified and well suited to facilitate a possible resolution in this matter and hereby request that the Court consider and appoint Mr. McNeill as facilitator in this case which the parties intend to participate in good faith.

THEREFORE, the parties by and through their respective counsel respectfully request that this Court enter the proposed order appointing Mr. McNeill as Facilitator, which order is being filed separately in conjunction with this stipulation.

Stipulated and agreed:

ALOIA LAW

/s/ Joseph N. Ejbeh
JOSEPH N. EJBEH (P48961)
RALPH COLASUONNO (P55019)
Attorneys for Plaintiff
48 South Main Street, Suite 3
Mt. Clemens, MI 48043

WILLIAMS, WILLIAMS,
RATTNER & PLUNKETT, P.C.

/s/ Richard E. Rassel, III
RICHARD E. RASSEL, III (P57540)
WAYNE WALKER (P51290)
Attorneys for Defendants
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ORDER APPOINTING FACILITATOR

WHEREAS, this matter having come before the Court by Stipulation of the

Parties (“Stipulation”) who, by and through their respective counsel, have requested that this Court appoint Tom McNeill, Esq., of Tom McNeill ADR, PLLC, located at 355 South Old Woodward Ave, Suite 100, Birmingham, Michigan, phone number 313-516-2436, as Facilitator in this matter for the reasons set forth in the Stipulation.

WHEREAS, the Court has considered the stipulation of the parties and has found that the Facilitator is qualified and acceptable, and with the Court being otherwise adequately advised,

IT IS HEREBY ORDERED AS FOLLOWS:

1. Tom McNeill, esq. of Tom McNeill ADR, PLLC, is appointed to serve as Facilitator in this case.

2. The parties shall participate in facilitative mediation with attorney Tom McNeill at an agreed upon date and time pursuant to the scheduling deadline in the Court’s Case Management Order (**ECF No. 27**).

IT IS SO ORDERED.

Dated: _____

United States District Judge